Mammoth Bar OHV Area
Motocross Track Repair

Draft
Environmental Assessment
Finding of No Significant Impact

Draft Initial Study
Mitigated Negative Declaration

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MAMMOTH BAR MOTOCROSS TRACK REPAIR
DRAFT INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION AND ENVIRONMENTAL ASSESSMENT

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A. INTRODUCTION

Mammoth Bar Off-highway Vehicle (OHV) Area is part of the Auburn State Recreation Area (ASRA). Located about thirty miles northeast of Sacramento in the Sierra Nevada foothills ASRA is under the jurisdiction of the U. S. Bureau of Reclamation (Reclamation). Reclamation contracts with the Auburn Sector of the Gold Fields District of California Department of Parks and Recreation (CDPR) for operations and management of ASRA, including the Mammoth Bar OHV area.

The Mammoth Bar OHV Area has been used for motorcycle and all terrain vehicle (ATV) riding by off road enthusiasts for nearly 30 years. It offers a wide range of trails and conditions next to the Middle Fork of the American River. OHVs are restricted to designated signed trails, to the motocross (MX) tracks, and the PIT (Pacific International Trials) areas.

On and prior to January 1, 2006, a series of storms hit the upper watershed of the Middle Fork of the American River and resulted in heavy runoff into the river. Flows on the Middle Fork approached 40,000 to 45,000 cubic feet per second (cfs). The high flows inundated the sand and gravel bar where the Mammoth Bar OHV area is located. When the water receded, it was apparent that portions of the OHV area had been damaged by the high water flow, especially the MX track.

The MX track is located on Mammoth Bar, Section 5 of the Greenwood and Auburn Quadrangles, T.12 N, R.9 E, UTM Zone 10, NAD 27.

B. PURPOSE AND NEED

The purpose of the project is to repair the MX track so that OHV riders can use the track again. CDPR estimated that in 2005 15,000 users visited Mammoth Bar specifically to use the MX track (prior to track damage). The 15,000 MX track users in 2005 represented approximately three-fourths of all OHV use at the Mammoth Bar OHV area. Prior to the storm of December 31, 2005, the 3,447 foot long track featured 13 banked turns and a number of advanced jumps designed for more experienced motocross riders (see Photo 1 and Figure II-1). It is now closed due to damage incurred during the December 2005-January 2006 storms.

The track is still physically present and most of the turns, curves, and jumps are intact. In some locations, however, soils were either eroded away from the track or newly deposited on the track by the 2006 storm. In its current condition, the track is unsafe for OHV riders to use and provides an attractive nuisance for trespassers since many of the track features still persist. This EA/IS analyzes the actions required to repair and reopen the storm damaged OHV area for safe use by the public.

Reclamation is the lead Federal agency for this action and CDPR is the lead State agency. This Environmental Assessment/Initial Study (EA/IS) was prepared to fulfill obligations of Reclamation and CDPR under the National Environmental Policy Act (NEPA) and its implementing regulations published by the Council on Environmental Quality (40 CFR 1500-1508), as well as the California Environmental Quality Act (CEQA) (Cal. Pub. Resources Code §21000 ET seq.). Under NEPA, federal agencies are required to consider the environmental consequences of major proposed actions in the form of an EA or Environmental Impact Statement (EIS). NEPA is required for this action because the project is located on federal

property owned by Reclamation. This EA/IS also satisfies CDPR's environmental review obligations under CEQA to analyze the impacts of the track repair project.

This EA/IS addresses only the effects of the track repair project. Long term planning for future uses at Mammoth Bar will be analyzed in the upcoming General Plan/Interim Resource Management Plan(GP/IRMP) Environmental Impact Statement/Environmental Impact Report (EIS/EIR). CDPR is currently obtaining baseline information to be used in the preparation of a GP/IRMP for the entire ASRA. The EIS/EIR will address OHV use at Mammoth Bar and determine if Mammoth Bar is an appropriate location for continued OHV use, or whether there are alternative sites that are more appropriate for OHV use.

C. PROJECT BACKGROUND

Mammoth Bar OHV area was established by Reclamation and CDPR as an interim use area within ASRA. Since it was believed that the OHV area would be inundated within the near future, the resulting resource damage was acceptable at the time (ASRA 1992 IRMP, Page 30). Long term delays of the Auburn Dam project prompted implementation of interim resource protection measures. Management of OHV use now includes enforcement of distinct OHV use boundaries, erosion and sedimentation control, and trail and slope stabilization. The pre-flood MX track configuration was constructed in 1997. In early 2000, the Sierra Club, Friends of the River and the Environmental Law Foundation filed a lawsuit over the operation of the Mammoth Bar OHV area. In July of 2000, a settlement was reached in this case. As a part of the settlement, Mammoth Bar is being operated under an Interim Management Plan and OHV riding days were cut in half. The settlement requires various studies and a task force made up of two members from the OHV riders groups and two from environmental groups to address the lawsuit issues. A summary of the settlement agreement taken from a State Park Press Release dated July 21, 2000, follows:

> "A settlement has been reached in a lawsuit filed by the Sierra Club, Friends of the River and the Oakland-based Environmental Law Foundation against the California Department of Parks and Recreation over its operation of the Mammoth Bar Off-Highway Vehicle Area near Auburn.
>
> Plaintiffs in the case asserted that off-highway vehicle operations at Mammoth Bar violated a wide array of state and federal environmental laws, that permits required by various state and federal regulatory agencies had never been obtained for the operation of the track at Mammoth Bar.
>
> As a part of the agreement, an interim management plan period will be initiated that will allow the OHV track and trail facility to continue to operate Sundays, Mondays, and Thursdays, and for the period October 1 through March 31, also on Fridays. The interim plan will stay in effect until a long-term management study of Auburn State Recreation Area (SRA) is completed. During the interim period, State Parks will seek to bring the area into compliance with state and federal regulations and obtain necessary permits for the operation of the OHV facility.
>
> In addition, State Parks will initiate a long-term comprehensive management study of both the Mammoth Bar OHV facility and the larger Auburn SRA, including the Mammoth Bar OHV facility. Task force members will be selected by State Parks from various user group communities to participate in designing the scope of the study.
>
> The agreement also stipulates that signs will be placed designating existing river access points at appropriate sub-entrance locations within Auburn SRA, including the Mammoth Bar OHV area.

Both sides also agreed that the proposed expansion of the OHV facility would not proceed during the interim management period."

Reclamation and CDPR are aware of stipulations in the settlement agreement that prohibit any expansion of the track before the GP/IRMP process is completed. For the repair project, all local, state, and federal laws and regulations have been addressed and applicable permits and authorizations will be acquired by CDPR prior to construction. Environmental compliance measures will include a CDFG Streambed Alteration Agreement, Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) permit, compliance with state and federal endangered species acts, and compliance with the CDPR Off-highway Motor Vehicle Recreation Soil Conservation Standards. Sections 401 and 404 of the Clean Water Act (CWA) are not applicable as the project is outside the jurisdiction of the U.S. Army Corps of Engineers (see below under Section II. A. 2, Regional Water Quality Control Board). Section §402 of the CWA does apply to the project and is described below in Section II. A. 2.

Furthermore, a matrix describing the actions taken by CDPR to meet the requirements of the lawsuit settlement is provided in Appendix E.

The Mammoth Bar OHV Area is covered under the Auburn Interim Resource Management Plan (AIRMP) prepared by Reclamation in 1992. The AIRMP established the following planning goals:

1. To provide for the health and safety of the public.

2. To minimize and correct environmental damage caused by recreational use and development.

3. To allow and encourage active volunteerism for projects and programs where feasible.

In addition to these planning goals, the AIRMP identified the following constraints for management of ASRA:

Interim nature of the plan: As the future of the Auburn project lands is not clear, it is Reclamation's intent to not encourage additional public use during this interim period or to construct permanent facilities which would be inundated or could be affected should Auburn Dam and reservoir project be built.

Financial/budgetary: Due to the present monetary limitations and the interim nature of the AIRMP, only those facilities or programs needed for the public's health and safety or for resource protection are of the highest priority.

Resource protection: Since the biological, natural, cultural, and visual resources are valuable and integral components to the Auburn SRA and the surrounding area, they should be protected to the extent possible when various facilities, improvements, or project occur.

The AIRMP also states that "the continuation of OHV use at Mammoth Bar is uncertain at this time" (page vi). The development of the GP/IRMP will address OHV use in the Auburn SRA.

All OHV activities on Reclamation lands must comply with 43 CFR, Subtitle B, Chapter 1, Part 420, Off-road vehicle use, dated October 1, 2006.

D. DOCUMENT FORMAT

The document consists of three parts. Chapters 1 and 2 provide background information and describe the project alternatives. Chapters 3 and 4 comprise the NEPA Environmental Assessment and draft Finding of No Significant Impact for Reclamation. Chapter 5 comprises the CEQA Initial Study checklist and responses and the Mitigated Negative Declaration for CDPR. Chapter 7 includes the references, list of preparers, and list of agencies contacted for both the EA and IS. Chapter 7 contains the correspondence received to date on the proposed action. The Appendices follow Chapter 7.

Figure I-1 Regional and Site Vicinity

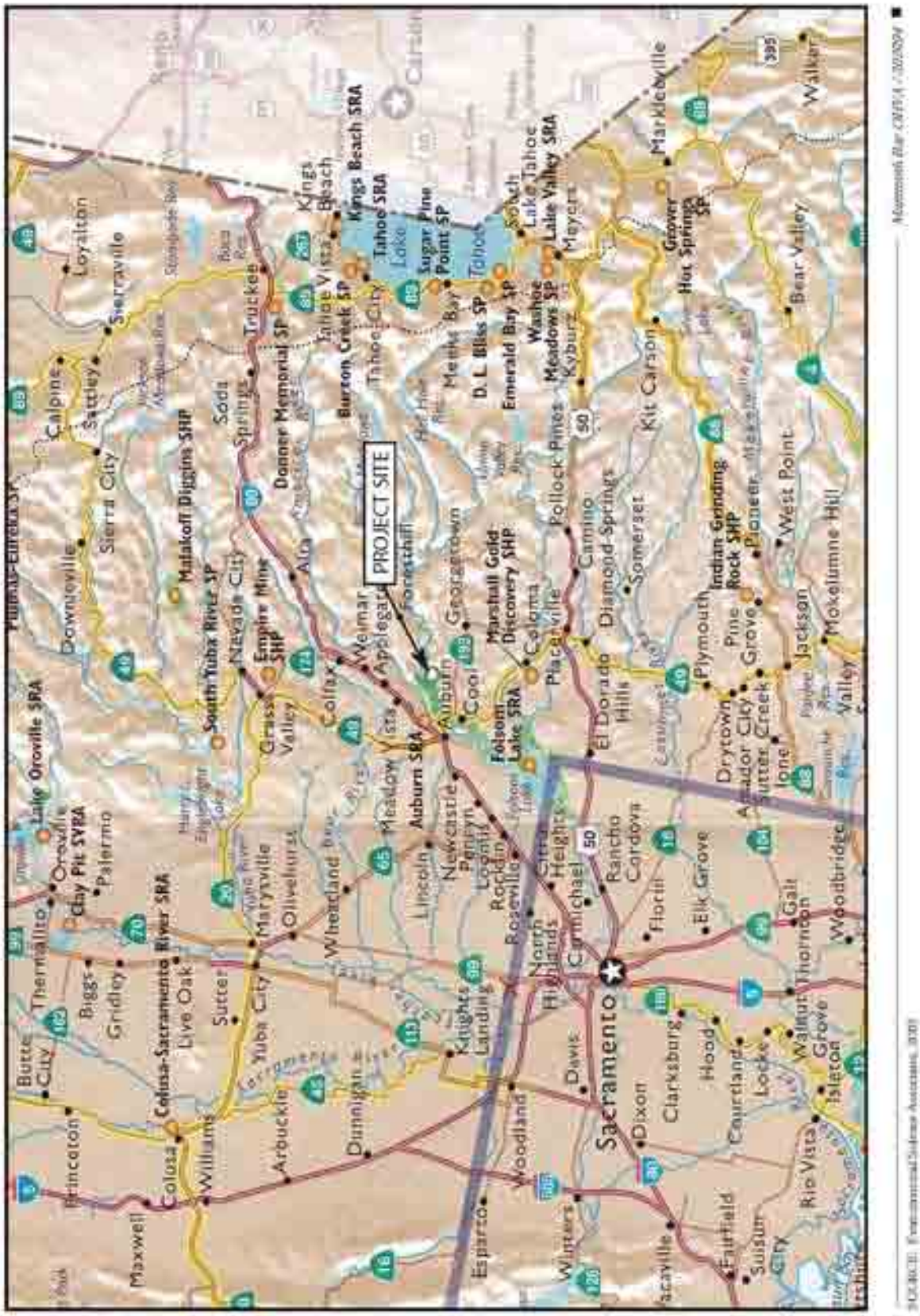

Figure I-2 Mammoth Bar OHV Facilities

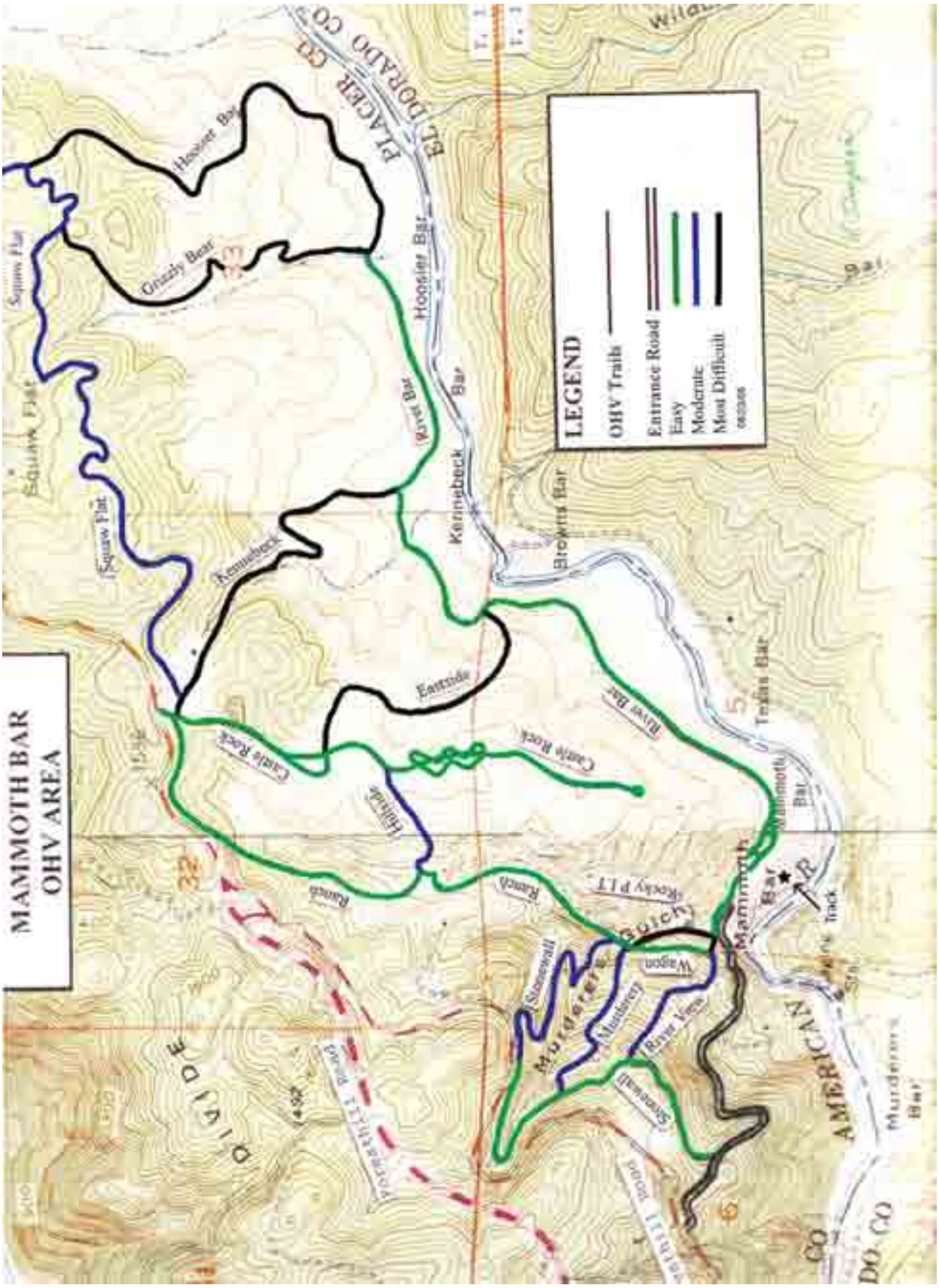

Photo 1 – MX Track before December 05 Storms

Photo 2 – MX Track after December 05 Storms

II. Alternatives

There were three alternatives considered for the MX track repair project. Two alternatives were put forward for detailed analysis in the EA, the Proposed Action to repair the track using existing materials within the existing track footprint, and the No Action alternative which would leave the track un-repaired. The third alternative involved repairing the track to its pre-flood configuration, however, this alternative was rejected as it was the desire of CDPR to repair the track with only the materials available on site and not to have any new material imported.

A. PROPOSED ACTION

The MX track at Mammoth Bar in 2005 was approximately 900 feet long at its centerline, varied from 15 to 30 feet wide, and was about 50 feet from the river (at normal summer flows). It covered roughly five acres of land (See Figure II-1). The undulating terrain that was created several years ago out of both on site and imported soils was designed for the riding pleasure and challenge of expert and advanced intermediate dirt bikes and ATV riders.

Geotechnical consultants for CDPR have prepared a remediation plan for the track which would involve minor grading to restore the track to near pre-storm function. The repaired track would be 700 long, would vary between 12 feet and 25 feet wide, and would be no closer than 80 to100 feet from the river (Figure II-2). It would be contained within the same footprint and, for the most part, existing turns, curves and jumps would be used. Refer to Figure II-3 which shows the proposed repaired track overlain on the pre-flood track. The repaired track area covers roughly 3.5 acres of land. The prior 800-foot long and 12-15 feet wide service road on the west side of the track would be rebuilt by grading existing materials. The realigned service road would be similar in width and appearance to the former road with no imported materials used.

A short section of service road (approximately 150 feet in length and 12-15 feet wide), running from the ATV training area to the seasonal water pump site would also be repaired by grading existing materials (See Figure II-2). The realigned service road would be similar in width and appearance to the former road with no imported materials used. A drainage swale would be incorporated into the project as shown in Figure II-4. In order to improve the performance of the drainage swale and maximize vegetative buffer, willows and forbs that would be disturbed during track repair would be transplanted at the down-stream end of the drainage swale. Any bare soil areas remaining after the track and service road repair work is completed will be seeded and mulched using a California native seed mix and rice straw (rice straw contains low amounts of non-native grass seeds).

Finally, approximately 500 feet of perimeter wire and safety net fencing that was damaged during the storm would be repaired and approximately 20 signs also damaged or destroyed during the storm would be repaired or replaced. The new signs would be placed on existing posts or on new wooden or Carsonite posts which would be buried up to 24" deep. All of this work would be completed within the new motocross track footprint.

Due to the constraints of keeping the track within its existing footprint and using only the material within the existing track footprint, the track would be reduced from what was considered an expert and advanced intermediate track, to one that is more suitable for intermediate riders. CDPR has no formal track construction guidelines, however, the repaired track configuration was designed by the foremost motocross track designers in the State. In addition, the track would be designed, constructed and maintained using the CDPR Off-highway Motor Vehicle Recreation Division's Soil Conservation Program standards.

The track repair would take about 7-10 days to complete and would employ a crew of 2-4 persons using a combination of a front loader, small bulldozer, and water truck for dust control.

1. Related Actions

In 2002, CDPR completed CEQA compliance for ongoing grooming and maintenance of the MX track and 90cc track, along with the other facilities at Mammoth Bar. The CDPR Notice of Exemption for the maintenance project is contained in Appendix A. CDPR also received a Streambed Alteration Agreement (Agreement) from CDFG in 2001 for the Track Maintenance Program. CDFG prepared a CEQA Categorical Exemption for the Agreement. Appendix A contains the CDFG Notice of Exemption and Agreement. Maintenance of the MX track, which occurred twice a week, involved the use of a bulldozer to grade out ruts, remove rocks, fill in low spots, repair turns and jumps and maintenance of berms used for track definition. Periodically (two to three times a year) the banked turns had to be reconditioned and cut down. This work required that the top of the turns be bladed or pulled into the track area and/or the dozer must get behind the turn and push in the top of the turn or in some cases move the whole bank back to its normal and best location. Sand and other built up material was also removed from the interior of the track about two or three times a year. Finally, periodically the jumps in the track were modified or changed to provide some variety for the track users.

Between 2005 and 2006, CDPR and Reclamation completed CEQA/NEPA compliance and received funding to install an improved dust control water system for the MX track. The previous system, which was also damaged by the storms, was considered inefficient and labor intensive. Fortunately, the dust control system had not been installed before the storms of December 05/January 06 hit. Once the track is repaired, CDPR intends to install the new dust control system. The new water system consists of connecting a series of waterlines (PVC pipes to be buried 18 inches deep in the ground) to a portable pump that would deliver river water to the water lines which are connected to a sprinkler system. The sprinkler heads would be protected using sections of 12-inch diameter concrete pipe. The use of river water by CDPR for irrigation pumping was authorized by Reclamation in 2001 (see Correspondence Section for the Reclamation letter dated April 24, 2001).

Neither the ongoing maintenance activities at Mammoth Bar nor the installation of the dust control system described above is part of the proposed action.

2. Other Agency Involvement

Federal Emergency Management Agency (FEMA). CDPR requested emergency funds from FEMA for the track repair work since the damage occurred during a FEMA declared emergency flooding event. FEMA-California prepared a project obligation report for the proposed action (FEMA, 2006). In the report, FEMA noted that the project is categorically excluded under 44 CFR 10.8(d): 16. Improvements to existing facilities and the construction of small scale hazard mitigation measures (xvi). FEMA has determined that the project is eligible for FEMA funding. The FEMA Obligation Report is contained in Appendix B.

U.S. Army Corps of Engineers (Corps) 404 Permit. The Corps jurisdiction extends up to the ordinary high water (OHW) mark of the River (Tom Cavanaugh, pers. comm., August 2006). The location of OHW was determined by Stephen Reynolds, Engineering Geologist at the California Geologic Survey. He based his determination on the evaluation of geomorphic benchmarks present at the project site. Specifically, this was established by the highest level of permanent staining on bedrock outcrops. The staining correlates well with a prominent bench (erosional surface), the upper limit of recent gravel deposition, and the upper extent of

established willows. These geomorphic features are typically associated with the bankfull stage, which in the western United States corresponds to a return period of 1.5 to 1.7 years. As such, this geomorphically defined stage is conservative in that it is higher than the mean annual high water. The repaired track is outside of the OHW mark of the Middle Fork American River (see Figure II-4). Due to the lack of jurisdictional wetlands in the project area and its location above the OHW, the project is not within Corps jurisdiction.

Regional Water Quality Control Board. The 1972 amendments to the federal Clean Water Act (CWA) prohibit the discharge of pollutants to navigable waters from a point source, unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit (see further discussion below). Industries that have direct stormwater discharges to navigable waters are required to obtain permits. It is within the existing authority of the Regional Water Quality Control Board (RWQCB) to issue water quality certifications under Section 401 of the CWA and to issue a NPDES permit for any stormwater outfall to the waters of the United States under Section 402 of the CWA.

The function of the Water Quality Certification (WQC) program is to protect these wetlands by ensuring that waste discharged to these waters meets state water quality standards. The WQC program regulates dredge and fill activity that results in any discharge to waters of the U.S. These projects require a federal permit under Clean Water Act (CWA) §404. Pursuant to §401 of the CWA, any applicant for a federal license or permit for activities that may result in any discharge into waters of the U.S. shall provide the federal permitting agency (i.e., Army Corps of Engineers [Corps]) with a certification from the respective State.

The NPDES was established in the CWA to regulate both point source discharges (a municipal or industrial discharge at a specific location or pipe) and non-point source discharges (diffuse runoff of water from adjacent land uses) to surface waters of the United States. Section 402 of the CWA contains general requirements regarding NPDES permits. The current NPDES provisions, under Phase II of the amendments to the Clean Water Act, require permits for construction activities that would disturb one or more acres of land. These permits serve as the mechanism for enforcement of the program.

The RWQCB requires that a NPDES Permit be obtained for construction grading activities for all projects greater than one acre. This permit requires implementation of non-point source control of stormwater runoff through the application of a number of BMPs. BMPs typically used to manage runoff water quality include controlling roadway and parking lot contaminants by installing oil and grease separators at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (such as grass swales, infiltration trenches, and grass filter strips) into landscaping, and implementing educational programs. These practices are meant to reduce the amount of constituents entering streams and other water bodies.

The Track Repair project is regulated under the WQC program and the NPDES Permit program. It would require water quality certification from the Central Valley WQCB and would require a General Permit for Discharge of Storm Water Associated with Construction Activities because it involves disturbance to over one acre of land. The General Construction Activity NPDES permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP), which is required to identify the sources of sediment and other pollutants on-site, and to ensure the reduction of sediment and other pollutants in stormwater discharged from the site. A monitoring program is required to aid the implementation of, and assure compliance with, the SWPPP. The permit requirements of the RWQCB must be satisfied prior to project construction. CDPR has prepared a SWPPP for the project which will support an application for a general permit (CDPR, 2006).

California Department of Fish and Game (CDFG) Streambed Alteration Agreement. A Draft Streambed Alteration Agreement (Agreement) was completed for the project in December 2006 and is contained in Appendix C. Finalization of the Agreement is pending the completion of the NEPA/CEQA process. Conditions of the Agreement have been incorporated into this environmental document as mitigation measures.

B. NO ACTION ALTERNATIVE

Under the No Action alternative the MX track would not be repaired and would not be reopened. To prevent unauthorized use of the damaged track by OHV users and possible injury to trespass riders, the damaged track would need to be decommissioned. This decommissioning would consist of removing all of the non-natural features that are currently present on the MX track, such as irrigation pipes, sprinkler heads, and the water pump. The materials that comprise the remains of the track (i.e. remaining track banks and jump mounds) would be re-contoured to a condition consistent with the original topography of the gravel bar.

Figure II-1 Pre-Flood Track

Figure II-2 Proposed Track Repair and Area of Potential Effect

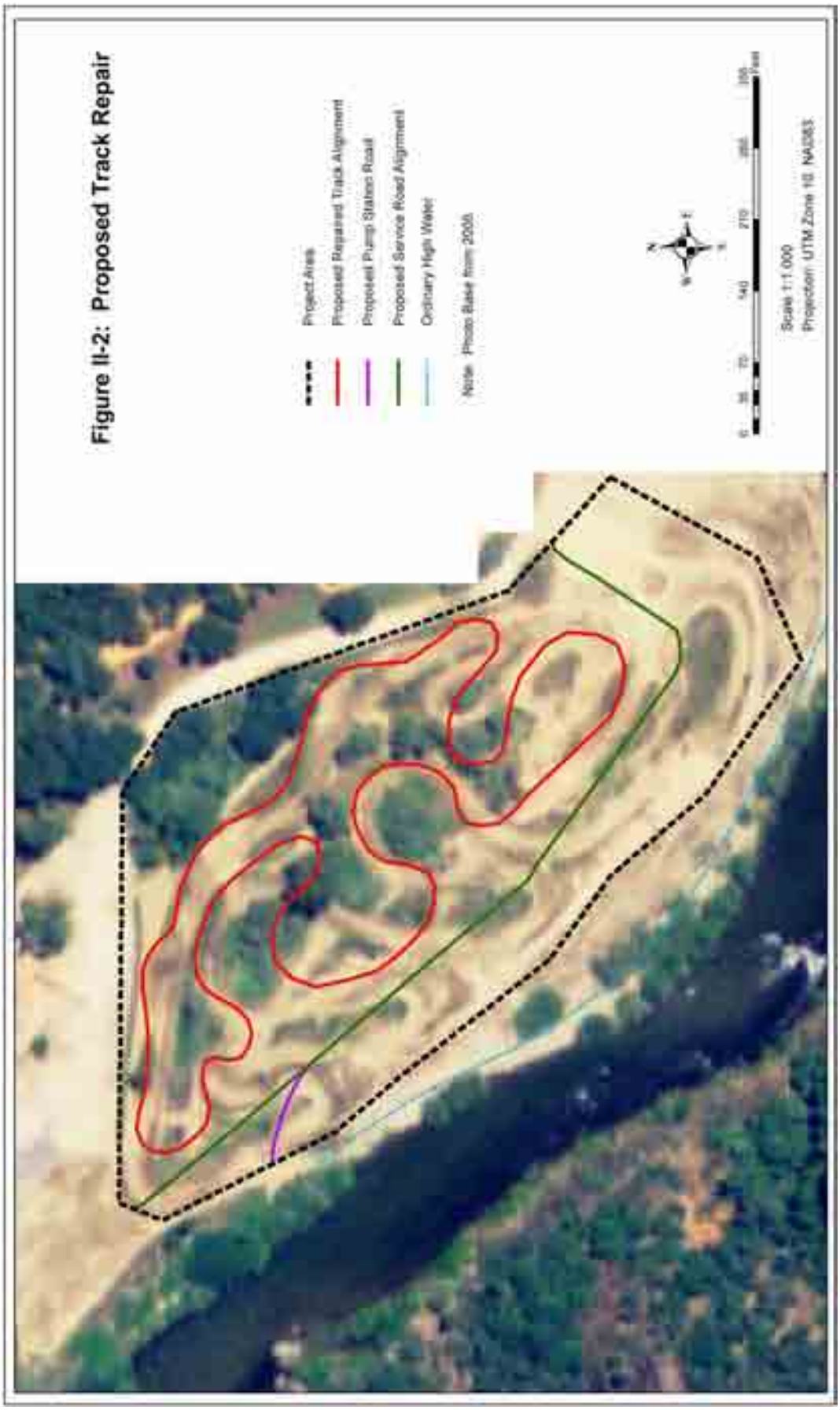

Figure II-3 Pre-Flood Track vs. Proposed Track

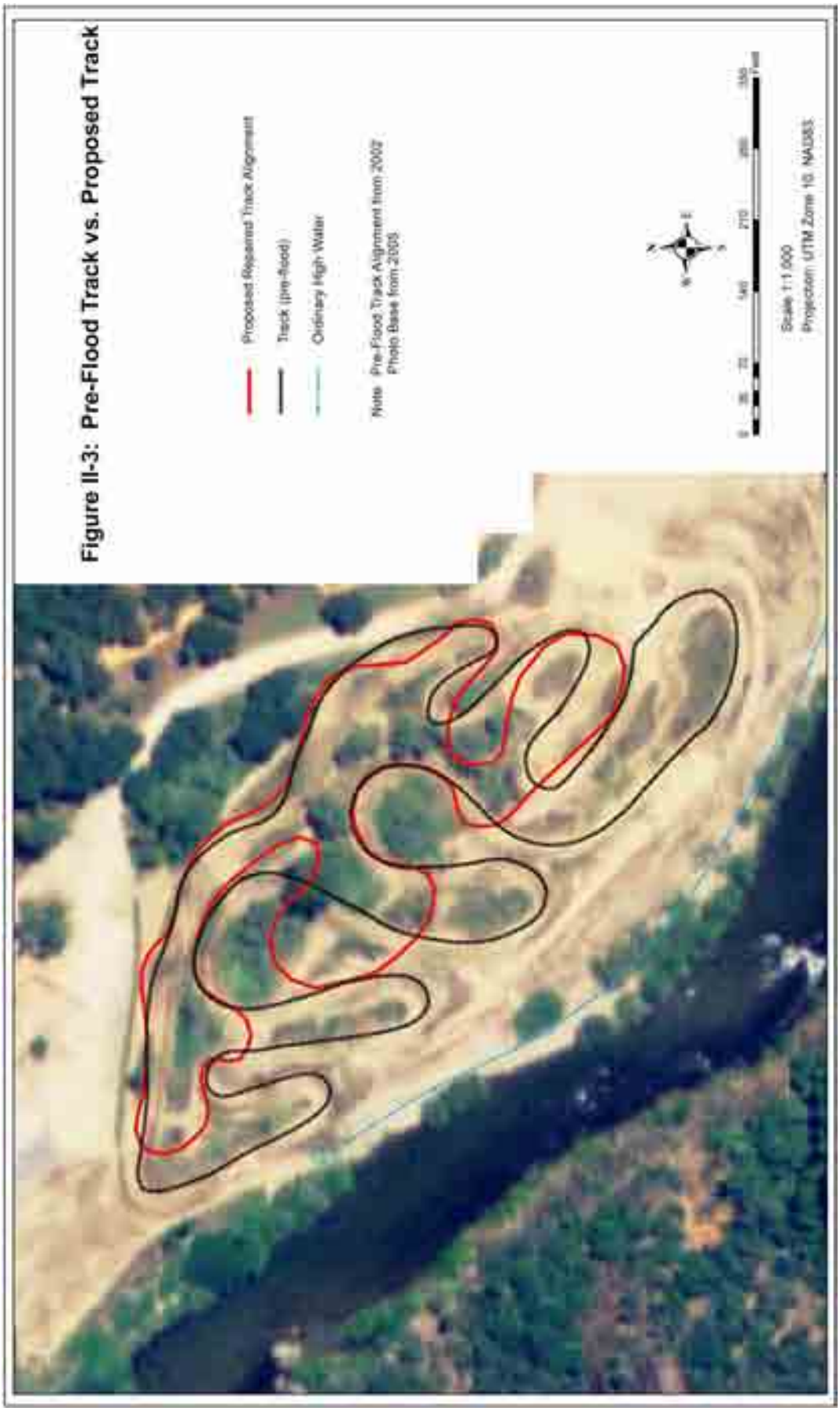

Figure II-4 Hydrology